

Appl. No. 10/719,785
Atty. Docket No. 9432
Amdt. dated 10 July 2006
Reply to Office Action of April 13, 2006
Customer No. 27752

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REMARKS

Applicant's attorney would like to thank the Examiner for the telephonic interview of July 7, 2006, during which the claim rejections were discussed.

Claim Status

Claims 1 and 4-11 are pending in the present application. No additional claims fee is believed to be due.

Claims 2 and 3 are canceled without prejudice.

Claim 1 has been amended to include claims 2 and 3 and to include the words each of said recessed portions comprising at the withdrawal end of the tampon a first width dimension x¹ and a second width dimension y¹. Support for the amendment is found at page 6, lines 25-29 of the specification and Fig. 1.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 U.S.C. §102(b) Over U.S. 2002/0151859 (Schoelling)

Claims 1-4 and 6-11 have been rejected under 35 U.S.C. §102(b) as being anticipated by Schoelling.

With respect to the novelty of claims 1 and 4 and 6-11: Applicant respectfully traverses the rejection as Schoelling does not disclose or teach a tampon for feminine hygiene comprising an insertion end, a withdrawal end, a longitudinal axis, and an outer surface; said tampon being comprised of compressed fibrous material; wherein said outer surface of said tampon comprises a plurality of recessed portions; each of said recessed portions comprising at the insertion end of the tampon a first width dimension x and a second width dimension y; wherein said first width dimension x is greater than said second width dimension y; and each of said recessed portions comprising at the

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withdrawal end of the tampon a first width dimension x¹ and a second width dimension y¹.

Accordingly, Applicant respectfully submits that claim 1 and its dependent claims 4 and 6-11 are novel over Schoelling.

Rejection Under 35 U.S.C. §103(a) Over U.S. 2002/0151859 (Schoelling) in view of U.S. 5,911,712 (Leutwyler et al)

Claim 5 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Schoelling in view of Leutwyler et al.

With respect to claim 5 and obviousness: Applicant respectfully traverses the rejection as Schoelling does not disclose or suggest a tampon for feminine hygiene comprising an insertion end, a withdrawal end, a longitudinal axis, and an outer surface; said tampon being comprised of compressed fibrous material; wherein said outer surface of said tampon comprises a plurality of recessed portions; each of said recessed portions comprising at the insertion end of the tampon a first width dimension x and a second width dimension y; wherein said first width dimension x is greater than said second width dimension y; and each of said recessed portions comprising at the withdrawal end of the tampon a first width dimension x¹ and a second width dimension y¹.

Accordingly, Applicant respectfully submits that claim 5 is non-obvious in view of Schoelling and Leutwyler et al.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejections under 35 U.S.C. §102 and §103. Early and favorable action in the case is respectfully requested.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application and allowance of Claims 1 and 4-11 is respectfully requested.

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Respectfully submitted,

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